

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

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| IN RE: INTERSTATE POWER COMPANY | DOCKET NO. WRU-01-3-150 (PGA-01-5) |
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ORDER GRANTING WAIVER

(Issued February 2, 2001)

On January 5, 2001, Interstate Power Company (Interstate) filed with the Utilities Board (Board) its January 2001 purchased gas cost (Vol. 5). The filing was identified as Docket No. PGA-01-5. On January 23, 2001, Interstate filed revisions to the original filing and stated that the charges per therm for all rates were computed in accordance with 199 IAC 19.10, except that the commodity cost of gas, RC in the purchased gas cost formula, was reduced to produce a purchased gas cost charge of less than one dollar. Interstate indicates that its billing system could not bill commodity costs of \$1 or more. Interstate indicates further that it is making the necessary corrections to its billing system to correct the problem.

Rule 199 IAC 1.3 states that the Board may grant a waiver if it finds, based upon clear and convincing evidence, that the application of the rule would pose an undue hardship, would not prejudice the substantial legal rights of any person, the provisions waived are not specifically mandated by statute, and substantially equal protection of public health, safety, and welfare will be afforded after the waiver. The Board has considered the waiver request described above and finds that the waiver

meets the four criteria of the rule and the evidence in support of the waiver is clear and convincing.

The Board finds that it would be an undue hardship for Interstate to comply with the rule since its billing system will not accommodate the correct billing amounts. The problem has been caused by the extreme increase in the price of natural gas. The Board finds that no person's substantial legal rights will be affected by this waiver, that the billing is not specifically mandated by statute, and health, safety, and welfare will be protected after the waiver.

IT IS THEREFORE ORDERED:

The waiver of 199 IAC 19.10 for the billing of Interstate Power Company's January 2001 purchased gas cost filed on January 5, 2001, and revised on January 23, 2001, is granted.

UTILITIES BOARD

/s/ Susan J. Frye

ATTEST:

/s/ Judi K. Cooper
Acting Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 2nd day of February, 2001.